

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BEATA MUSIC LLC,

Plaintiff,

18-cv-6354 (JGK)

- against -

ORDER

DINO DANELLI, ET AL.,

Defendants.

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JOHN G. KOELTL, District Judge:

A letter is an improper means to make a motion to dismiss Mr. Danelli's counterclaims with prejudice for failure to prosecute. There should be a notice of motion, supporting affidavit, and memorandum of law. No pre-motion conference is necessary. The motion should be served on Mr. Danelli's counsel. If Mr. Danelli fails to respond to the motion within 17 days, the Court may grant the motion on the papers submitted, in which event Mr. Danelli will have no trial on his counterclaims.

SO ORDERED.

Dated: New York, New York  
May 13, 2020

/s/ John G. Koeltl  
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John G. Koeltl  
United States District Judge